



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAY 25 2017

Division of Water
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-3500

Re: General Permit No. GP-O-16-002

Dear Ms. Lendrum:

As you know, on March 10, 2017, the U.S. Environmental Protection Agency sent a letter to the New York State Department of Environmental Conservation (NYSDEC) concerning its Clean Water Act Concentrated Animal Feeding Operations (CAFO) General Permit, which the NYSDEC published on January 25, 2017. In that letter, the EPA suggested that certain aspects of the permit concerning transparency, oversight and public review warranted further consideration by the NYSDEC. The EPA suggested the development of a public guidance document or Frequently Asked Questions (FAQs) that would provide clarity as to the permit's consistency with federal requirements and how the public participation and state oversight processes will function.

The NYSDEC has followed the EPA's suggestion and developed a comprehensive set of FAQs, which will be posted to the Department's website and provide clarity to the regulated community and to the public. A subset of these FAQs address the concerns that EPA raised in our March 10th letter and provide clear answers to our questions and comments about the permit. We believe these FAQs demonstrate that the NYSDEC's Clean Water Act CAFO General Permit is consistent with the federal requirements. Thank you to you and your staff for taking the time to develop this important material and for satisfying our earlier concerns. We look forward to working with you as you implement this permit.

Sincerely,

A handwritten signature in black ink, appearing to read "Alyssa Arcaya", is written over a horizontal line.

Alyssa Arcaya
Chief, NPDES Section
Clean Water Division